



General Assembly

February Session, 2004

Raised Bill No. 326

LCO No. 1480

01480_____HS_

Referred to Committee on Human Services

Introduced by:
(HS)

AN ACT CONCERNING STATE ASSISTANCE TO LEGAL IMMIGRANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 17b-112c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2004*):

4 (a) Qualified aliens, as defined in Section 431 of Public Law 104-193,
5 who do not qualify for federally-funded cash assistance, other lawfully
6 residing immigrant aliens or aliens who formerly held the status of
7 permanently residing under color of law shall be eligible for solely
8 state-funded temporary family assistance or cash assistance under the
9 state-administered general assistance program, provided other
10 conditions of eligibility are met. An individual who is granted
11 assistance under this section must pursue citizenship to the maximum
12 extent allowed by law as a condition of eligibility unless incapable of
13 doing so due to a medical problem, language barrier or other reason as
14 determined by the Commissioner of Social Services. Notwithstanding
15 the provisions of this section, any qualified alien or other lawfully
16 residing immigrant alien or alien who formerly held the status of

17 permanently residing under color of law who is a victim of domestic
18 violence or who has mental retardation shall be eligible for assistance
19 under this section. [The commissioner shall not accept new
20 applications for assistance under this subsection after June 30, 2003.]

21 Sec. 2. Section 17b-257b of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective July 1, 2004*):

23 Qualified aliens, as defined in Section 431 of Public Law 104-193,
24 admitted into the United States on or after August 22, 1996, other
25 lawfully residing immigrant aliens or aliens who formerly held the
26 status of permanently residing under color of law who have been
27 determined eligible for Medicaid or for state-administered general
28 assistance medical aid prior to July 1, 1997, may be eligible for state-
29 funded medical assistance which shall provide coverage to the same
30 extent as the Medicaid program, state-administered general assistance
31 medical aid or the HUSKY Plan, Part B provided other conditions of
32 eligibility are met. Such qualified aliens or lawfully residing immigrant
33 aliens or aliens who formerly held the status of permanently residing
34 under color of law who have not been determined eligible for
35 Medicaid or for state-administered general assistance medical aid prior
36 to July 1, 1997, shall be eligible for state-funded assistance or the
37 HUSKY Plan, Part B subsequent to six months from establishing
38 residency in this state. [The Commissioner of Social Services shall not
39 accept applications for assistance pursuant to this section on or after
40 June 30, 2003.] Notwithstanding the provisions of this section, any
41 qualified alien or other lawfully residing immigrant alien or alien who
42 formerly held the status of permanently residing under color of law
43 who is a victim of domestic violence or who has mental retardation
44 shall be eligible for state-funded assistance or the HUSKY Plan, Part B
45 pursuant to this section. Only individuals who are not eligible for
46 Medicaid shall be eligible for state-funded assistance pursuant to this
47 section.

48 Sec. 3. Subsection (a) of section 17b-342 of the general statutes is

49 repealed and the following is substituted in lieu thereof (*Effective July*
50 *1, 2004*):

51 (a) The Commissioner of Social Services shall administer the
52 Connecticut home-care program for the elderly state-wide in order to
53 prevent the institutionalization of elderly persons (1) who are
54 recipients of medical assistance, (2) who are eligible for such
55 assistance, (3) who would be eligible for medical assistance if residing
56 in a nursing facility, or (4) who meet the criteria for the state-funded
57 portion of the program under subsection (i) of this section. For
58 purposes of this section, a long-term care facility is a facility which has
59 been federally certified as a skilled nursing facility or intermediate care
60 facility. The commissioner shall make any revisions in the state
61 Medicaid plan required by Title XIX of the Social Security Act prior to
62 implementing the program. The annualized cost of the community-
63 based services provided to such persons under the program shall not
64 exceed sixty per cent of the weighted average cost of care in skilled
65 nursing facilities and intermediate care facilities. The program shall be
66 structured so that the net cost to the state for long-term facility care in
67 combination with the community-based services under the program
68 shall not exceed the net cost the state would have incurred without the
69 program. The commissioner shall investigate the possibility of
70 receiving federal funds for the program and shall apply for any
71 necessary federal waivers. A recipient of services under the program,
72 and the estate and legally liable relatives of the recipient, shall be
73 responsible for reimbursement to the state for such services to the
74 same extent required of a recipient of assistance under the state
75 supplement program, medical assistance program, temporary family
76 assistance program or food stamps program. Only a United States
77 citizen or a noncitizen who meets the citizenship requirements for
78 eligibility under the Medicaid program shall be eligible for home-care
79 services under this section, except a qualified alien, as defined in
80 Section 431 of Public Law 104-193, admitted into the United States on
81 or after August 22, 1996, or other lawfully residing immigrant alien
82 determined eligible for services under this section prior to July 1, 1997,

83 shall remain eligible for such services. [The Commissioner of Social
84 Services shall not accept applications for assistance pursuant to this
85 section from a qualified alien, as defined in Section 431 of Public Law
86 104-193, or other lawfully residing immigrant alien after June 30, 2003.]
87 Qualified aliens or other lawfully residing immigrant aliens not
88 determined eligible prior to July 1, 1997, shall be eligible for services
89 under this section subsequent to six months from establishing
90 residency. Notwithstanding the provisions of this subsection, any
91 qualified alien or other lawfully residing immigrant alien or alien who
92 formerly held the status of permanently residing under color of law
93 who is a victim of domestic violence or who has mental retardation
94 shall be eligible for assistance pursuant to this section. Qualified aliens,
95 as defined in Section 431 of Public Law 104-193, or other lawfully
96 residing immigrant aliens or aliens who formerly held the status of
97 permanently residing under color of law shall be eligible for services
98 under this section provided other conditions of eligibility are met.

99 Sec. 4. Subsection (a) of section 17b-790a of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective July*
101 *1, 2004*):

102 (a) The Commissioner of Social Services, within available
103 appropriations, shall establish a food assistance program for
104 individuals entering the United States prior to April 1, 1998, whose
105 immigrant status meets the eligibility requirements of the federal Food
106 Stamp Act of 1977, as amended, but who are no longer eligible for food
107 stamps solely due to their immigrant status under Public Law 104-193.
108 [The commissioner shall not accept new applications for assistance
109 under this section after June 30, 2003.] Individuals who enter the
110 United States after April 1, 1998, must have resided in the state for six
111 months prior to becoming eligible for the state program. The
112 commissioner may administer such program in accordance with the
113 provisions of the federal food stamp program, except those pertaining
114 to the determination of immigrant status under Public Law 104-193.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>July 1, 2004</i>
Sec. 4	<i>July 1, 2004</i>

Statement of Purpose:

To allow the Commissioner of Social Services to accept new applications from legal immigrants for state-funded public assistance programs administered by the Department of Social Services.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]